

REMARKS

After entry of the foregoing amendment, claims 1-28 are pending in the application.

Claim 2 has been amended to correct the punctuation issue noted by the Examiner.

The Examiner's finding that claims 1-25 are patentable over the art earlier cited is noted with appreciation.

The claims now stand newly rejected over Marandi (4,994,831) – individually, and in combination with Musgrave (6,208,746).

Marandi is understood to disclose a camera that images two different subjects, through two different lens systems, onto a single photographic film, thereby producing a composite film image. The Marandi system seems particularly intended for producing photographic ID cards, by imaging both text presented on a data card, as well as a facial photo, onto a shared emulsion substrate (which is then developed to produce a card conveying both text and a facial image).

The rejections are respectfully traversed.

Claims 1, 2, 4 and 11 are said to be anticipated by Marandi. In so doing, the Action has mapped Marandi's data card 14 (from which the text is imaged) to the claimed "user attribute." However, the claims specify that the user attribute "comprises an image of an identifying characteristic of the user."

Marandi's data card 14 cannot fairly be construed to be "an image of an identifying characteristic of the user" as required by the claim. Rather, it is an image of a card bearing typed text.

Moreover, the Action seems to confuse the subject of the photograph (e.g., the person whose facial image appears on the resulting ID card), with the user of the capture device (e.g., the operator of the device). The claims specify that it is an attribute "of a user of the media signal capture device" that is captured. Nothing in Marandi teaches that any attribute of the device user (operator) is captured. (Nor does he teach that the camera operator and subject are the same person.)

In view of such shortcomings of Marandi, applicants submit that an anticipation rejection has not been established as to any of these claims. Further points that might be noted in connection with these claims are thus not belabored.

The deficiencies of Marandi also render insufficient the rejections of claims under § 103. (Marandi's noted deficiencies are not redressed by Musgrave.) Since a *prima facie* case of obviousness has not been established as to any of these claims, those rejections are not further addressed.

Accordingly, each of claims 1-25 is believed to be in condition for allowance.

New claims 26 - 28 are added to more fully protect applicants' inventive work, and are believed to patentably distinguish over the art.

Favorable reconsideration and passage to issuance are solicited.

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CUSTOMER NUMBER 23735

Phone: 503-885-9699

FAX 503-885-9880

Respectfully submitted,

DIGIMARC CORPORATION

By


William Y. Conwell
Registration No. 31,943